

RPA Cross Sector HR Forum meeting 18 January 2007

Present: Derek Baker (CPG)
Michael Daly (CPG)
John Adams (NILGA)
Maurice Dowling (RPA)
Carol McCabe (OFMDFM – Equality)
Martin Ingram (DCAL)
Philip Angus (DETI)
David Bingham (DHSSPS)
Ian Maye (DOE)
June Ingram (DEL)
Anne McKenna (CPG)
Maureen Taggart (NIHE)
Maura McCusker (DE)
Jacqui Wallace (CPG)
Laura Armstrong (CPG)

Apologies: Damian Prince (RPA)
Billy Gamble (OFMDFM)
Noel Kelly (DSO)
Michael Henderson (OFMDFM)

1. Minutes of last meeting and matters arising

The group accepted the minutes of the last meeting.

Michael Daly briefed the meeting on the paper prepared, and previously circulated, in relation to “RPA Affected Group – employees who have been made redundant”. Michael advised that all Forum members, apart from DEL, considered that employees who have been made redundant should not remain in the RPA Affected Group. Michael outlined the reasoning behind this. Michael informed the meeting that it is intended that the next definition of the RPA Affected Group will be amended to reflect this position.

June Ingram explained the reasoning behind DELs position on this issue and stated the importance of continuing to reflect DEL’s differing view.

Derek Baker informed the group that John Hunter, Michael Daly and he had attended yesterday’s PSC meeting to discuss the Government’s stance on the 5th Guiding Principle. He informed the group that Government remains firm in relation to non-acceptance of the PSC’s recommendation of no compulsory redundancies and a single voluntary severance scheme, however there will be further discussions with PSC. Michael outlined that he would be seeking information from the Forum

members in relation to the detail of their redundancy schemes and stressed the need for a quick turnaround in this respect.

Action: All

2. Membership of Forum

Derek Baker outlined the correspondence between Government and the PSC in relation to the consideration of membership of the Staff Commissions on the Forum. Derek outlined the differing perspectives of both parties and there was a general discussion amongst the group in this regard. It was agreed that the Staff Commissions have a role at Sector level but not on the Forum itself.

3. Update on the PSC Guiding Principles

Michael Daly summarized the current position on each of the PSC's Guiding Principles. Michael stated that the PSC have raised real concerns on the extent of implementation of the 2nd Guiding Principle. David Bingham outlined the practical difficulties being experienced in Health and flagged up that vacancy levels are decreasing. He stated that the majority of vacancies were for front line posts or in support of the front line posts and therefore need to be filled on a timely basis. Ian Maye highlighted that Local Government is beginning to experiencing similar issues. It was agreed that an outside Forum meeting would consider this issue.

Action: CPG, Central Unit, Health & Local Government

Michael stated that the draft Code of Practice for the 4th Guiding Principle issued yesterday but highlighted that the issue of the extension of powers remained. Ian Maye informed the meeting that there would be a need to go back to the Minister on this issue.

In relation to the 5th Guiding Principle, Michael stated that the PSC were interested in knowing the number of likely redundancies.

Michael stated that the Code of Practice for the 6th Guiding Principle was out for consultation at the moment and that he hoped it provided a clear message in relation to the need for employers to consult.

Michael outlined the 7th Guiding Principle and confirmed that there would be further discussions on this.

In relation to further PSC Guiding Principles, Michael stated that the PSC was thinking in terms of capacity building and training as well as the tidying up of previous Guiding Principles.

Maura McCusker brought to the attention of the Forum a potential equality issue, raised in Education, between the differing treatment of teachers and Civil Servants in a redundancy situation.

Ian Maye raised a general query in relation to what is considered the end date of RPA Implementation. There was general discussion in this regard and Derek Baker outlined that at some stage it would be up to Ministers to take a pragmatic decision on this.

4. Code of Practice on Staff Transfers

Michael Daly informed the group of the plan to consult on the Code of Practice and highlighted that there is ongoing work on Pensions and Dispute Resolution. He asked the group if they could consider this further draft and provide comments within the next two weeks.

Action: All

There was a general discussion on 3rd Party Dispute Resolution Procedures. CPG confirmed that there were a number of issues to be pursued.

Action: CPG

John Adams agreed to share with CPG the details of the Local Government appeals mechanism.

Action: John Adams

There was a general discussion in relation to the some of the practical difficulties in relation to application of TUPE in certain circumstances. The need to treat each case on its merits and seek legal advice where necessary was agreed.

David Bingham informed the meeting that Health are currently working with the Trade Unions on a staff transfer scheme and he undertook to provide a copy of this as soon as possible.

Action: David Bingham

5. Consideration of a single Staff Commission

Michael Daly outlined the background and thinking on this issue and informed the group that a paper is being prepared for discussion at the Steering Group.

There was discussion on the need for a public sector Staff Commission in light of the current statutory obligations on employers and the centralisation of once fragmented employers. Derek Baker advised that the group would be kept informed on this issue.

6. Education Sector Training Approach paper

Maura McCusker referred to the paper on this issue. She highlighted the concerns raised in the Education Sector in relation to the non-existence of a competency framework in the majority of Education bodies which means that individuals would be unfamiliar with it for interview purposes and would therefore be at a disadvantage. She also highlighted that Civil Servants in DE are asking for the training designed to bridge this gap to be open to them. She acknowledged the possible consequences that this could have for the remainder of the NICS. Maura asked the group for input on the issue. There was a discussion regarding the provisions being put in place in other sectors, which included a pilot programme being put in place in Local Government to test their approach to capacity building and arrangements in Health. Derek Baker added that employers should do what is needed in their Sector, taking advice and using available precedents where possible.

7. Any other business

Derek Baker asked Maurice Dowling to brief the meeting on the proposed conference for the 4th Sector. Maurice outlined the rationale for the conference, the proposed programme outline and the anticipated invitees. There was discussion amongst the group regarding membership of the 4th Sector as well as the proposed invitees for the conference. There were concerns raised in this regard. It was highlighted that a one-off conference was unlikely to solve any communication issues amongst the 4th Sector. It was agreed that the proposed conference would need to be carefully managed. Maurice informed the group that he would take on board the issues discussed and would meet with Brian Martin to tease out the issues. In addition, Maurice agreed to provide further information on the conference.

Action: Maurice Dowling

David Bingham informed the meeting that Civil Servants in Health are comparing their position in terms of information etc to non-Civil Servants working in Health. Anne McKenna advised on the arrangements in place in the NICS and explained that work on a model for selection of staff during reorganisation of work in preparation for transfer is underway with DHSSPS taking a lead.

8. Date of next meeting

22 February 2007.